

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**EMERGENCY MOTION TO WITHDRAW AUSTIN C. SMITH OF THE SMITH LAW  
GROUP LLP AND THE SMITH LAW GROUP LLP  
AS COUNSEL OF RECORD AND INTERIM CLASS COUNSEL**

**THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN TWENTY-ONE (21) DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.**

***EMERGENCY RELIEF HAS BEEN REQUESTED. IF THE COURT  
CONSIDERS THE MOTION ON AN EMERGENCY BASIS, THEN YOU  
WILL HAVE LESS THAN 21 DAYS TO ANSWER. IF YOU OBJECT TO  
THE REQUESTED RELIEF OR IF YOU BELIEVE THAT THE  
EMERGENCY CONSIDERATION IS NOT WARRANTED, YOU SHOULD  
FILE AN IMMEDIATE RESPONSE.***

**REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.**

Austin C. Smith of the Smith Law Group LLP and the Smith Law Group LLP hereby voluntarily withdraw as counsel of record and as Interim Class Counsel in the above-styled action.

Austin C. Smith was admitted *pro hac vice* and appointed by the Court as Interim Class Counsel. The parties have had an amicable disagreement about case strategy and all parties feel it is in the best interest of the putative class for counsel to share once voice. Smith and the Smith Law Group LLP withdraw with a reservation of rights to share in any future award of costs and fees incurred during the prosecution of this case. All counsel previously enrolled on behalf of plaintiffs will remain as counsel of record, and Interim Class Counsel will otherwise remain the same. Notice may be sent to the Agreed Order List pursuant to its rules and customs to advise of the withdrawal of Austin C. Smith of the Smith Law Group LLP and the Smith Law Group LLP.

Dated: February 9, 2021.

Respectfully submitted,

By: /s Jason Burge  
Jason W. Burge (*pro hac vice*)  
SBN (LA) 30420  
FISHMAN HAYGOOD L.L.P.  
201 St. Charles Avenue, 46th Floor  
New Orleans, Louisiana 70170-4600  
(504) 586-5252; (504) 586-5250 fax  
[jburge@fishmanhaygood.com](mailto:jburge@fishmanhaygood.com)

Lynn E. Swanson (*pro hac vice*)  
SBN (LA) 22650  
JONES SWANSON HUDDELL & DASCHBACH  
LLC  
601 Poydras Street, Suite 2655  
New Orleans, Louisiana 70130  
(504) 523-2500; (504) 523-2508  
[Lswanson@jonesswanson.com](mailto:Lswanson@jonesswanson.com)

Joshua B. Kons (*pro hac vice*)  
SBN (IL) 6304853  
LAW OFFICES OF JOSHUA B. KONS, LLC  
939 West North Avenue, Suite 750  
Chicago, IL 60642  
(312) 757-2272  
[joshuakons@konslaw.com](mailto:joshuakons@konslaw.com)

Marc Douglas Myers  
SBN (TX) 00797133  
ROSS, BANKS, MAY, CRON & CAVIN, P.C.  
7700 San Felipe, Suite 550  
Houston, Texas 77063  
(713) 626-1200; (713) 623-6014 fax  
[mmyers@rossbanks.com](mailto:mmyers@rossbanks.com)

Susan Tran  
SBN (TX) 24075648  
CORRAL TRAN SINGH, LLP  
440 Louisiana St, Suite 2450  
Houston, TX 77002  
(832) 975-7300; (832) 975-7301 fax  
[susan.tran@ctsattorneys.com](mailto:susan.tran@ctsattorneys.com)

Brendon Singh  
SBN (TX) 2407646  
CORRAL TRAN SINGH, LLP  
440 Louisiana St, Suite 2450  
Houston, TX 77002  
(832) 975-7300; (832) 975-7301 fax  
[brendon.singh@ctsattorneys.com](mailto:brendon.singh@ctsattorneys.com)

*Counsel to Plaintiff*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on this 9<sup>th</sup> day of February, 2021, a true and correct copy of the *Emergency Motion To Withdraw Austin C. Smith of The Smith Law Group LLP and The Smith Law Group LLP as Counsel of Record and Interim Class Counsel* was served via that Court's electronic case filing system (CM/ECF) to all parties registered to receive such notice in the above-captioned proceeding.

/s/ Jason W. Burge \_\_\_\_\_